

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**KYLE EDWARD D'AQUILLA**

**No. 4:18-cr-153-Y  
ECF**

**UNOPPOSED MOTION TO CONTINUE TRIAL**

TO THE HONORABLE TERRY R. MEANS, UNITED STATES SENIOR DISTRICT JUDGE:

Defendant, Kyle Edward D'Aquilla, by and through his attorney of record, Jaidee A. Serrano, request that the Court grant a 30-day continuance to the jury trial currently scheduled for September 24, 2018. The ends of justice served by granting this request for a continuance outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161. In support, Mr. D'Aquilla shows as follows:

1. Trial is currently scheduled for September 24, 2018 (ECF 19).
2. Pretrial motions were due on August 27, 2018 (ECF 19).
3. Pretrial motions were not filed because both Mr. D'Aquilla and the Government believe that a continuance will likely eliminate pretrial litigation. The defense has identified and communicated with the Government about pretrial matters and the parties are working in good faith to resolve these issues by further discussions, meetings and additional discovery.
4. The parties are also working in good faith for the disposition of Mr. D'Aquilla's case. Defense counsel believes a continuance may allow for this matter to resolve without

necessity of a trial. The parties, along with the investigating agent, are actively working toward a disposition but need more time.

5. Mr. D'Aquila respectfully requests that the Court grant a continuance of the trial and associated deadlines. Should the Court grant a continuance, Mr. D'Aquila agrees that any period of delay resulting therefrom, made necessary by this request for continuance, shall be excludable under 18 U.S.C. § 3161(h). Additionally, the ends of justice served by the granting of this continuance outweigh the best interests of the public and Mr. D'Aquila in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).
6. Counsel for the government does not oppose this motion.
7. Counsel for the parties do not have any conflicts within the next 30 days.

ALL PREMISES CONSIDERED, Mr. D'Aquila and the Government request the Court to grant the unopposed motion to continue the trial setting dates.

Respectfully Submitted,

Jason D. Hawkins  
Federal Public Defender  
Northern District of Texas

/s/ Jaidee A. Serrano  
Jaidee A. Serrano  
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**CERTIFICATE OF SERVICE**

I, Jaidee A. Serrano, hereby certify that on August 30, 2018, I served a true and correct copy of this document upon Assistant United States Attorney, Chris Wolfe.

/s/Jaidee A. Serrano

Jaidee A. Serrano

Assistant Federal Public Defender

**CERTIFICATE OF CONFERENCE**

I, Jaidee A. Serrano, hereby certify that on August 29, 2018 I conferred with Assistant United States Attorney, Chris Wolfe, regarding this motion to continue and the Government is unopposed.

/s/Jaidee A. Serrano

Jaidee A. Serrano

Assistant Federal Public Defender